

Legislative Notice

No. 39

May 16, 2002

H.R. 3167 – Freedom Consolidation Act (NATO Expansion Bill)

Calendar No. 282

Reported by the Committee on Foreign Relations on December 12, 2001, without amendment, favorably, by voice vote; no written report.

NOTEWORTHY

- Under a unanimous consent agreement reached today, the Senate will begin two and one-half hours of debate on H.R. 3167 today, with 60 minutes controlled by Senator Biden and 90 minutes controlled by Senator Warner, with no amendments or motions in order. Tomorrow, May 17, at 10:30 a.m., the Senate will vote on the bill following 30 minutes of debate.
- H.R. 3167 passed the House on November 7, 2001, by a vote of 372-46. It is identical to S. 1572, introduced last year by Senator Helms and 17 other Senators from both parties. The Senate Foreign Relations Committee reported the bill without amendment and did not issue a written report. (The House Committee on International Relations did issue a report, H. Rept. 107-266.)
- NATO admitted its first post-Cold War new members (Poland, Hungary, and the Czech Republic) in 1999 following a vote in the Senate of 80-19 on April 30, 1998 [105th Congress, 2nd session, Vote No. 117]. H.R. 3167 does not admit any new members to the alliance, which, like the earlier expansion, will require Senate advice and consent to revision of the North Atlantic Treaty. However, it endorses the vision of further enlargement of the NATO Alliance articulated by President George W. Bush on June 15, 2001, and by former President Clinton on October 22, 1996.
- In addition to endorsing further enlargement of NATO, H.R. 3167 authorizes \$8.5 million in military assistance to Slovakia, plus additional amounts for six other candidate countries: Estonia, Latvia, Lithuania, Slovenia, Bulgaria, and Romania.

BACKGROUND

Congress is in the early stages of considering enlargement of NATO, an issue that will be addressed at the next allied summit in Prague in November 2002. During the last round of enlargement, the Senate voted 80-19 on April 30, 1998, to give President Clinton its advice and consent to ratification of revisions to the North Atlantic Treaty (the alliance's basic document) admitting Poland, the Czech Republic, and Hungary to NATO. (Because expansion requires an amendment to the original treaty, a two-thirds Senate majority is necessary.) Other members of the alliance followed the American ratification, and the three countries became members in March 1999. It was the fourth time that NATO had admitted new states, with membership increasing from the original 12 to 19 today. [For further background on the issues raised in the earlier expansion, including post-Cold War NATO's missions other than defense of member states, such as peacekeeping, peace enforcement, crisis management, and humanitarian assistance, see RPC's *Legislative Notice* No. 55, Treaty Doc. 105-36 – Protocols to the North Atlantic Treaty of 1949 on the Accession of Poland, Hungary, and the Czech Republic, issued 3/18/98.]

At the last NATO summit in April 1999, the allies underscored that they were open to further enlargement, but they neither set a timetable nor guaranteed membership to any country. Instead, NATO created a Membership Action Plan (MAP), outlining a structured set of goals for prospective members, such as ending the danger of ethnic conflict, developing a democratic society with fully transparent political and economic processes and civilian control of the military, and pledging commitment to defense budgets to build military forces able to contribute to missions from collective defense to peacekeeping. NATO pledged to review the enlargement process in 2002.

In June 2001, the North Atlantic Council stated that the November 2002 NATO summit to be held in Prague, Czech Republic, would yield an invitation to at least one candidate state to begin accession negotiations for membership. On June 15, President Bush said in Warsaw that "all of Europe's new democracies, from the Baltic to the Black Sea and all that lie between, should have the same chance for security and freedom, and the same chance to join the institutions of Europe, as Europe's old democracies." He did not name countries that the United States would support. The generally acknowledged serious candidates for entry in 2002 or somewhat later are Slovenia, Slovakia, the three Baltic states (Lithuania, Latvia, and Estonia), and possibly Bulgaria and Romania. Albania and Macedonia are also candidates for this round of expansion but are not considered likely to be approved at the Prague summit.

BILL PROVISIONS

Section 1. Short Title.

“This Act may be cited as the ‘Gerald B.H. Solomon Freedom Consolidation Act of 2001.’”

Section 2. Findings.

This section makes a number of findings consisting of Presidential, Congressional, and NATO statements in favor of continued enlargement of the alliance.

Section 3. Declarations of Policy.

This section reads in its entirety as follows:

“Congress –

“(1) reaffirms its previous expressions of support for continued enlargement of the NATO Alliance contained in the NATO Participation Act of 1994, the NATO Enlargement Facilitation Act of 1996, and the European Security Act of 1998;

“(2) supports the commitment to further enlargement of the NATO Alliance expressed by the Alliance in its Madrid Declaration of 1997 and its Washington Summit Communiqué of 1999; and

“(3) endorses the vision of further enlargement of the NATO Alliance articulated by President George W. Bush on June 15, 2001, and by former President William J. Clinton on October 22, 1996, and urges our NATO allies to work with the United States to realize this vision at the Prague Summit in 2002.”

Section 4. Designation of Slovakia to Receive Assistance under the NATO Participation Act of 1994.

This section designates Slovakia as eligible to receive assistance under the program established under section 203(a) of the NATO Participation Act of 1994. It further provides that this designation is in addition to the previous designations of Poland, Hungary, the Czech Republic, Slovenia, Romania, Estonia, Latvia, Lithuania, and Bulgaria as eligible to receive assistance under the program established under that section. It further provides that this designation shall not preclude the designation by the

President of other emerging democracies in Central and Eastern Europe pursuant to section 203(d)(2) of the NATO Participation Act of 1994 as eligible to receive assistance under the program established under section 203(a).

Section 5. Authorization of Security Assistance for Countries Designated under the NATO Participation Act of 1994.

Under section 23 of the Arms Export Control Act (22 U.S.C. 2763), the indicated amounts are made for seven candidate countries: Estonia (\$6.5 million), Latvia (\$7 million); Lithuania (\$7.5 million); Slovakia (\$8.5 million); Slovenia (\$4.5 million); Bulgaria (\$10 million); and Romania (\$11.5 million).

ADMINISTRATION POSITION

No Statement of Administration Policy (SAP) is available, but the Bush Administration is known to strongly favor enactment of H.R. 3167.

COST

No CBO cost estimate is available, but the House report (H. Rept. 107-266) gave an estimate by the Committee on International Relations that the cost for the bill will be \$55.5 million if all authorized funds are appropriated.

POSSIBLE AMENDMENTS

Under the unanimous consent agreement, no amendments are in order.

Staff contact: Jim Jatras, 224-2946